

From: Van Andres <vandres@kbs-services.com>
Sent: Monday, November 25, 2019 1:06 PM
To: Sears Ballot Invoices
Cc: Greg Williams; Donna Lieberman
Subject: RE: Sears Administrative Expense Consent Program
Attachments: Contract with Sears Automotive (00290882xAC48D).pdf; KBS-master contract (00305075xAC48D).pdf; KBS SPREADSHEET - ADMIN (00305148xAC48D).pdf

SEARS ADMINISTRATIVE EXPENSE CONSENT PROGRAM – KELLERMAYER BERGENSONS SERVICES –UNIQUE E-BALLOT ID# 182353801018127

Dear Sir/Madam:

In response to your query below, I am attaching a spreadsheet showing the administrative amounts due to Kellermeyer Bergensons, as well as the contracts between Kellermeyer and Sears/Kmart. Responses to each of your questions appears in CAPS below.

Please don't hesitate to contact me or bankruptcy counsel to the company (cc'd) if you have questions about any of our responses, or need additional information.

Sincerely,
Van P. Andres
Associate Counsel
Kellermeyer Bergensons Services, LLC
1575 Henthorne Dr.
Maumee, OH 43537
419-861-5231 Office
419-861-5283 Fax
<image002.jpg>

This message may be confidential and attorney-client privileged. If received in error, please do not read. Instead, reply to me that you have received it in error and delete the message. Thank you.

From: Sears Ballot Invoices <searsballotinvoices@miiipartners.com>
Sent: Tuesday, November 19, 2019 2:23 PM
To: Van Andres <vandres@kbs-services.com>
Subject: Sears Administrative Expense Consent Program

RE: Sears Administrative Expense Consent Program Ballot ID 182353801018127: Kellermeyer Bergensons Services, LLC,

Hello,

You are receiving this email because you checked the "Opt-In" box on a Sears Administrative Expense Consent Program Ballot.

M-III Partners is the Restructuring Professional for Sears, Kmart and their affiliates, reconciling the Administrative Expense Consent Program Ballots. For your reference, a copy of the court order approving M-III's retention can be found at the link below:

[Docket 814] M-III Retention Order

To facilitate the reconciliation of the amounts you have claimed, we request that you please provide supporting information in Excel as soon as possible for the amount that was submitted on your Administrative Expense Consent Program Ballot.

Please reply with your Ballot ID number and Creditor name.

Include the following fields at a minimum (if applicable):

1. DUNS (unique identifier(s) with Sears, Kmart and their affiliates) N/A
2. DBA name(s) (Doing Business As, if there is another name your company goes by) N/A
3. Invoice Number THE INVOICE DATE, NUMBER, AMOUNT AND PERIOD COVERED ARE SET FORTH IN THE ATTACHED SPREADSHEET, WHICH WAS PART OF EXHIBIT A TO THE AMENDED MOTION FILED BY KELLERMEYER (SEE POINT 12 BELOW).
4. Purchase Order Number (if applicable) N/A
5. Invoice Date SEE SPREADSHEET
6. Dates of Service the Invoice Covers (if applicable) SEE SPREADSHEET
7. Invoice Amount SEE SPREADSHEET
8. Property Tax Notice (if applicable) N/A
9. 503(b)(9) "Y" or "N": (mark "Y" next to any invoices you believe are entitled to priority pursuant to section 503(b)(9) of the United States Bankruptcy Code) N/A
10. Administrative "Y" or "N" (Post-petition/Post-Bankruptcy): (mark "Y" next to any invoices you believe are post-petition/post-bankruptcy administrative invoices) ALL OF THE INVOICES ON THE SPREADSHEET ARE FOR POST-PETITION ADMINISTRATIVE INVOICES.
11. Indicate whether you have previously filed a proof of claim for any amounts claimed in your Administrative Expense Consent Program Ballot. NO- FILED A MOTION AND AMENDED THE MOTION
12. Indicate whether you have previously filed a motion seeking payment for any amounts claimed in your Administrative Expense Consent Program Ballot. YES- MOTION TO COMPEL (D.N. 2837) AND AMENDED MOTION TO COMPEL PAYMENT (D.N. 4950)
13. List of payments received from Sears and its affiliates **90 days prior to the bankruptcy filing** on October 15, 2018 (for the period of July 15, 2018 through October 14, 2018) WE ARE LOOKING INTO THIS AND WILL PROVIDE THIS INFORMATION AS SOON AS WE HAVE COMPILED IT. ANY PAYMENTS THAT KELLERMEYER RECEIVED DURING THAT PERIOD WOULD HAVE BEEN RECEIVED IN THE ORDINARY COURSE OF BUSINESS, PURSUANT TO THE TERMS OF THE CONTRACTS BETWEEN THE PARTIES AND HISTORIC PRACTICES.
14. Other info that may be relevant to reconcile the ballot amount submitted KELLERMEYER HAD TWO CONTRACTS WITH THE DEBTORS, A MASTER CONTRACT FOR CLEANING SERVICES, STAFF AND EQUIPMENT AND SUPPLIES FOR SEVERAL HUNDRED SEARS AND KMART STORES, AND THE OTHER (PROVIDING THE SAME TYPES OF SERVICES, ETC.) FOR A GROUP OF SEARS AUTOMOTIVE CENTERS. COPIES OF THE CONTRACTS ARE ATTACHED. THE MOTION WAS MADE PRIOR TO THE REJECTION OF THE CONTRACTS AND WAS AMENDED AFTER REJECTION.

From: Sears Ballot Invoices <searsballotinvoices@miiipartners.com>

Sent: Tuesday, November 19, 2019 2:23 PM

To: Van Andres <vandres@kbs-services.com>

Subject: Sears Administrative Expense Consent Program

RE: Sears Administrative Expense Consent Program Ballot ID 182353801018127: Kellermeyer Bergensons Services, LLC,

Hello,

You are receiving this email because you checked the "Opt-In" box on a Sears Administrative Expense Consent Program Ballot.

M-III Partners is the Restructuring Professional for Sears, Kmart and their affiliates, reconciling the Administrative Expense Consent Program Ballots. For your reference, a copy of the court order approving M-III's retention can be found at the link below:

[Docket 814] M-III Retention Order [\[PDF\]](#)

To facilitate the reconciliation of the amounts you have claimed, we request that you please provide supporting information in Excel as soon as possible for the amount that was submitted on your Administrative Expense Consent Program Ballot.

Please reply with your Ballot ID number and Creditor name.

Include the following fields at a minimum (if applicable):

1. DUNS (unique identifier(s) with Sears, Kmart and their affiliates)
2. DBA name(s) (Doing Business As, if there is another name your company goes by)
3. Invoice Number
4. Purchase Order Number (if applicable)
5. Invoice Date
6. Dates of Service the Invoice Covers (if applicable)
7. Invoice Amount
8. Property Tax Notice (if applicable)
9. 503(b)(9) "Y" or "N": (mark "Y" next to any invoices you believe are entitled to priority pursuant to section 503(b)(9) of the United States Bankruptcy Code)
10. Administrative "Y" or "N" (Post-petition/Post-Bankruptcy): (mark "Y" next to any invoices you believe are post-petition/post-bankruptcy administrative invoices)
11. Indicate whether you have previously filed a proof of claim for any amounts claimed in your Administrative Expense Consent Program Ballot.
12. Indicate whether you have previously filed a motion seeking payment for any amounts claimed in your Administrative Expense Consent Program Ballot.
13. List of payments received from Sears and its affiliates 90 days prior to the bankruptcy filing on October 15, 2018 (for the period of July 15, 2018 through October 14, 2018)
14. Other info that may be relevant to reconcile the ballot amount submitted

Best regards,

Chris Casamassima
M-III Partners, L.P.
130 West 42nd St., 17th Floor
New York, NY 10036
searsballotinvoices@miiipartners.com
(o): 212-804-9742

This message contains information which may be confidential and privileged. Unless you are the intended addressee (or authorized to receive for the intended addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply email or by calling 212-716-1491 and delete the message.